

Docket No. 47176 DIV2 (70342)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: S. Hinuma et al.

EXAMINER: D. Romeo

SERIAL NO. 09/716,147

GROUP: 1647

FILED: November 17, 2000

FOR: POLYPEPTIDES, THEIR PRODUCTION AND USE

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

.....
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By: John B. Alexander, Ph.D.
.....

Sir:

AMENDMENT

Applicants request reconsideration of the above-identified application in view of the following amendments and remarks. Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.

Edwards & Angell LLP

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Date : June 5, 2003

From : John B. Alexander, Ph.D. Fax : (617) 439-4170 Direct : (617) 517-5555
To : Group 1600,
United States Patent &
Trademark Office Fax : (703) 746-5075 Direct :

Pages : 9
(including cover sheet)

If you received a partial delivery, please call Maggie C. Hamelin at (617) 517-5537.

Re :

Enclosed please find an Amendment Response in connection with U.S. Serial No. 09/716,147.

Please do not hesitate to contact me if you have any questions, or if I can be of any further assistance at this time.

Best Regards,

John B. Alexander, Ph.D.

JBA:mch

Fax

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Practitioner's Docket No. 47176- DIV2 (70342)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: S. Hinuma et al.
Application No.: 09/716,147 Group No.: 1647
Filed: November 17, 2000 Examiner: D. Romeo
For: POLYPEPTIDES, THEIR PRODUCTION AND USE

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AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is
☐ a small entity. A statement:
☐ is attached.
☐ was already filed.
☒ other than a small entity.

EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) - If a timely and complete response has been filed after a

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

FACSIMILE

- ☒ transmitted by facsimile to the Patent and Trademark Office, Technology Center 1600 at 703-746-5075.

Signature

Maggie C. Hamelin
(type or print name of person certifying)

Date: June 5, 2003

(Amendment Transmittal--page 1 of 4)

Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. Section 1.645 for extensions of time in interference proceedings, and 37 C.F.R. Section 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. Section 1.136 (fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

Extension (months)	Fec for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input type="checkbox"/> three months	\$ 920.00	\$ 460.00
<input type="checkbox"/> four months	\$ 1,440.00	\$ 720.00

Fee: \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured. The fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

(Amendment Transmittal--page 2 of 4)

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below:

						OTHER THAN A SMALL ENTITY			
(Col. 1)	(Col. 2)	(Col. 3) SMALL ENTITY							
Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	OR	Rate	Addit. Fee	
Total	*	Minus	**	=	x \$9 = \$		x \$18 = \$		
Indep.	*	Minus	***	=	x \$42 = \$		x \$84 = \$		
[] First Presentation of Multiple Dependent Claim					+ \$140 = \$		+ \$280 = \$		
					Total Addit. Fee	\$___	OR	Total Addit. Fee	\$___

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: "After final rejection or action (Section 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. Section 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

(c) [X] No additional fee for claims is required.

OR

(d) [] Total additional fee for claims required \$ _____.

FEE PAYMENT

5. [] Attached is a check in the sum of \$ _____.
- [] Charge Account No. _____ the sum of \$ _____.
- A duplicate of this transmittal is attached.

(Amendment Transmittal--page 3 of 4)

FEE DEFICIENCY

NOTE: *If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

6. ☒ If any additional extension and/or fee is required, charge Account No. 04-1105.

AND/OR

- ☒ If any additional fee for claims is required, charge Account No. 04-1105.

Date: June 5, 2003

Reg. No. 48,399

Tel. No. 617-439-4444

Customer No. 21874

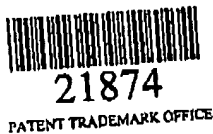

SIGNATURE OF PRACTITIONER

John B. Alexander, Ph.D.
(type or print name of practitioner)

P.O. Box 9169
P.O. Address

Boston, MA 02209

BOS2_337720.1



(Amendment Transmittal—page 4 of 4)